

Rec'd PCT/PTO 14 NOV 2005

Attorney Docket No. 5405-264

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Pericak-Vance et al.

Application No.: 10/520,695

International Filing Date: July 11, 2003

For: *GENETIC SUSCEPTIBILITY GENES FOR ASTHMA AND ATOPY AND ASTHMA-RELATED AND ATOPIC-RELATED PHENOTYPES*

November 14, 2005

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**REQUEST TO CORRECT INVENTORSHIP
UNDER 37 C.F.R. § 1.48 AND 35 U.S.C. § 116**

Sir:

Pursuant to 37 C.F.R. 1.48(a), it is requested that **Marcy C. Speer**, residing at 9 Pine Top Place, Durham, North Carolina 27705, and **Michael A. Hauser**, residing at 3214 Annandale Road, Durham, North Carolina 27705 be **added** as inventors, and **Jonathan L. Haines**, residing at 1609 Knox Drive, Brentwood, Tennessee 37027, be **deleted** as an inventor on the above-identified application. In support of this request are included:

- (a) A statement by Marcy C. Speer and a statement by Michael A. Hauser, respectively, the inventors to be added, stating that the error in inventorship occurred without deceptive intention on their parts;
- (b) A statement by Jonathan L. Haines, the inventor to be deleted, stating that the error in inventorship occurred without deceptive intent on his part;
- (c) A Consent of Assignee duly executed by a representative of Duke University, the assignee of the above-identified application, agreeing to the change of inventorship; and
- (d) A check for the processing fee in the amount of \$130.00 as set forth in 37 C.F.R. 1.17(i).

The original errors in designating the inventorship of the above-identified application were a result of inadvertent error and made without deceptive intent. Therefore, it is respectfully requested

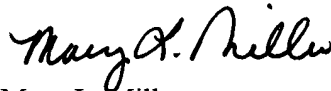
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that the omitted inventors listed above be added and the incorrectly named inventor listed above be deleted from this application.

Applicants are submitting these documents with a Declaration and Power of Attorney document signed by inventors **Margaret A. Pericak-Vance, Jeffery M. Vance, Marcy C. Speer, and Michael A. Hauser.**

The enclosed fee of \$130.00 is believed to be correct. However, the Commissioner is authorized to charge any additional fees due in connection with this paper or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Mary L. Miller
Registration No. 39,303

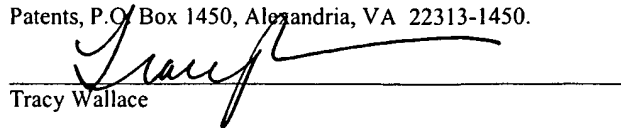
USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
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CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR §1.10

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Date of Deposit: November 14, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Tracy Wallace

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**CONSENT OF ASSIGNEE FOR
CORRECTION OF INVENTORSHIP PURSUANT TO 37 C.F.R. §1.48(a)**

Sir:

The educational institution of Duke University, the assignee of the above-identified application, hereby consent to the amendment of the application under 37 C.F.R. § 1.48(a) to add Marcy C. Speer and Michael A. Hauser, and to delete Jonathan L. Haines as inventors on the above-referenced patent application. Accordingly, the correct inventors on the above-mentioned application are **Margaret A. Pericak-Vance, Jeffery M. Vance, Marcy C. Speer, and Michael A. Hauser.**

Respectfully submitted
on behalf of Duke University,

Signature: 

Name: Robert L. Taber

Title: Vice Chancellor

Date: 9-27-05

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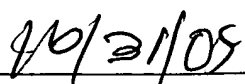
**STATEMENT IN SUPPORT OF REQUEST
FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)(2)**

I, **Marcy C. Speer**, do hereby declare and state as follows:

1. I was not originally named as an inventor on the above-identified patent application, but I should have been. This omission was inadvertent and occurred without any deceptive intent on my part.
2. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Marcy C. Speer



Date

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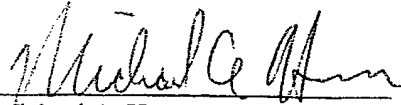
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ALEXANDRIA, VA 22313STATEMENT IN SUPPORT OF REQUEST
FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)(2)I, **Michael A. Hauser**, do hereby declare and state as follows:

1. I was not originally named as an inventor on the above-identified patent application, but I should have been. This omission was inadvertent and occurred without any deceptive intention on my part.
2. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Michael A. Hauser9/23/05
Date

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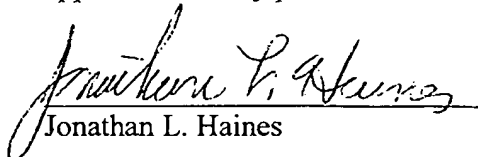
ALEXANDRIA, VA 22313

**STATEMENT IN SUPPORT OF REQUEST
FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)(2)**

I, **Jonathan L. Haines**, do hereby declare and state as follows:

1. I was originally named in error as an inventor in the above-identified patent application. I agree that the inventorship of the above-identified application should be corrected to delete myself, Jonathan L. Haines, as a co-inventor. The original error in designating the inventorship was inadvertent and without deceptive intent on my part.

2. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Jonathan L. Haines

10/3/05
Date